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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

THE ESTATE OF MADISON JODY
JENSEN, by her personal representative Jared
Jensen,

Plaintiff,

vs.

DUCHESNE COUNTY, a Utah
governmental entity; DAVID BOREN, and
individual, JARED HARRISON, an
individual, JASON CURRY, an individual,
JEREMY CURRY, an individual, JANA
CLYDE, an individual, LOGAN CLARK, an
individual, KENNON TUBBS, an individual,
and JOHN DOES 1-20;

Defendants.

**Defendant Kennon Tubbs, M.D.'s
Notice of Appeal**

Case No. 2:17-CV-01031

Case No. 2:17-CV-01031-EJF
Judge David Barlow
Magistrate Judge Evelyn J. Furse

Notice is hereby given that Dr. Kennon Tubbs, Defendant in the above-named case and by and through his counsel of record, George T. Naegle and Cortney Kochevar of RICHARDS BRANDT MILLER NELSON, hereby appeals to the United States Court of Appeals for the Tenth Circuit from the Order and Memorandum Decision [DN 168] by the Honorable Judge Dale A. Kimball entered

January 21, 2020, which is attached hereto as Exhibit A. This appeal is made as a matter of right pursuant to 10th Circuit Rule 3, based on the denial of Defendant Dr. Tubbs' Motion for Summary Judgment on the ground of qualified immunity. *See Mitchell v. Forsyth*, 472 U.S. 511, 527 (1985).

DATED this 20th day of February, 2020.

RICHARDS BRANDT MILLER NELSON

/s/ Cortney Kochevar

GEORGE T. NAEGLE

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 20th day of February, 2020, I served the foregoing Notice of Appeal on the persons identified below as indicated:

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/s/ Cortney Kochevar